

### REMARKS

This responds to the Office Action mailed on June 28, 2005.

Claims 1, 5, 9, 13, and 17 are amended, no claims are canceled, and no claims are added; as a result, claims 1-18 are now pending in this application.

#### §102 Rejection of the Claims

Claims 1-18 were rejected under 35 USC § 102(e) as being anticipated by Webb (U.S. 6,542,371). Applicant does not admit that Webb is indeed prior art and reserves the right to swear behind this reference at a later date. Nevertheless the Applicant believes that the pending claims are distinguishable from the reference for at least the following reasons.

The rejection states that “Webb discloses a high thermal conductivity heat transfer pad comprising all of the applicant’s claimed and disclosed limitation of the instant invention.” Applicant respectfully traverses the rejection for at least the following reasons. Webb appears to show a carbon fiber fabric 10 with threads that are “woven together in a substantially orthogonal pattern (column 3, lines 11-12). Webb also appears to show a matted or felted fabric with a more random pattern. However, Applicant is unable to find a distribution of carbon fibers suspended within a matrix material in the Webb reference.

In contrast claims 1 and 5, as amended, include a distribution of carbon fibers suspended within a matrix material. Further in contrast, claim 9 includes suspending a number of carbon fibers in a substantially random pattern within a non-adhesive viscous matrix material. Further in contrast, claim 13 includes suspending a number of carbon fibers in a substantially random pattern within a non-curable viscous matrix material. Further in contrast, claim 17 includes a distribution of carbon fibers suspended within a viscous thermal grease material. Support for the claim amendments can be found in several locations in the specification, including page 9, lines 22-25. Among other distinguishing features, carbon fibers suspended within a matrix material provide an advantage of allowing both fibers and matrix material to be spread, in contrast to a pre-made fabric that would prevent fiber spreading.

Because the Webb reference does not show every element of Applicant’s independent claims, a 35 USC § 102(e) rejection is not supported. Reconsideration and withdrawal of the rejection are respectfully requested with respect to claims 1-18.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney ((612) 373-6944) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

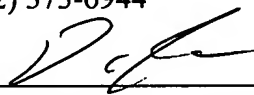
Respectfully submitted,

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By their Representatives,

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Date 9-28-05

By   
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 28th day of September, 2005.

Amy Moriarty  
Name

  
Signature